

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MANIDHAR KUKKADAPU, Individually and :
on Behalf of All Others Similarly Situated, :
:
Plaintiff, :
vs. : No. 16-cv-06277-RMB
:
EMBRAER S.A., FREDERICO PINHEIRO : ECF Case
FLEURY CURADO, JOSÉ ANTONIO DE :
ALMEIDA FILIPPO, PAULO PENIDO PINTO:
MARQUES, LUIZ CARLOS SIQUEIRA :
AGUIAR, TERENA PENTEADO :
RODRIGUES, and FLAVIO RIMOLI, :
:
Defendants. :
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**NOTICE OF DEFENDANTS' JOINT MOTION TO
DISMISS THE AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the Amended Complaint filed December 13, 2016; the accompanying Memorandum of Law of Defendants in Support of their Joint Motion to Dismiss the Amended Class Action Complaint; the accompanying Declaration of Christopher P. Malloy, dated June 28, 2017, and the exhibits thereto; and upon all prior papers and proceedings herein, defendants Embraer S.A., Frederico Pinheiro Fleury Curado and José Antonio de Almeida Filippo ("Defendants") will move this Court before the Honorable Richard M. Berman, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, 10007, on a date and at a time designated by the Court, pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6) and Section 21D(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78u-4(b), for an Order (a) dismissing the Amended Complaint with prejudice; and (b) granting such other and further relief as this Court may deem just and proper.

As set forth by this Court at the pre-motion conference held on May 16, 2017, Plaintiff shall file any opposition to this motion by August 7, 2017, and Defendants shall file any reply by August 21, 2017.

Dated: June 28, 2017
New York, New York

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